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atively few persons. It ought to be republished in another form for the widest circulation, for it contains an impressive lesson to all of us, and particularly to those who, though justly discontented with the delays and failures of justice, study not the causes of the defects of which they complain, but, rushing blindly about in search of remedies, are allured by the *ignis fatuus* of the recall of the judges, that most futile and dangerous of all proposed remedies.

The recall of the judges will remedy nothing. It will only make things worse, for it will breed a class of judges with their eyes always on the weather-vane of popular favor, and so timid and vacillating that all fair-minded critics of the judiciary will be forced to admit that causes for dissatisfaction have become far greater and more real than before. What is really needed is not less, but more, independence in the judges. Instead of hampering them with technicalities of procedure, imposed upon them by the legislatures, and limiting their powers of control over juries, and now threatening them with the recall by popular vote, they ought to be released from the strait-jackets into which they have been put by most of the legislatures, and given a freer hand in the trial of cases both as to the juries and the lawyers. And, going down deeper into the root of the matter, the editors recognize, as do most experienced and thoughtful lawyers, although there are not many who have the courage to say it openly, that the quality of the judges could best be improved by abolishing the elective system, and returning to the system of appointment which prevails in England, in the federal courts, and in a few of our older states. But this is a counsel of perfection, which it seems useless to discuss in these times of excitement and wild appeals to popular prejudice. The editors wisely advise that "it will not do to wait until we can get a perfect tenure of office, and a better system of nominations and measure of judicial compensation than now exists," but that "the abuse as it exists in practice should be struck at without delay." And the simple modern English system of procedure is held up as a model. J. D. B.

AN ANALYSIS OF SALMOND'S JURISPRUDENCE. By Reginald E. de Beer, Solicitor. London: Stevens and Haynes. 1911. pp. x, 134.

This is another of the strange type of books which the English system of examination brings forth in such profusion. Its chief aim seems to be to enable students to take an examination in a book without reading it. The teacher of that none too teachable subject, jurisprudence, might find the book useful, however, as it is a careful and well-arranged summary of what is on the whole the best book available for instruction. R. P.

FOREIGN COMPANIES AND OTHER CORPORATIONS. By E. Hilton Young. Cambridge (England) University Press. 1912. pp. xii, 332.

This thoughtful and excellent book is divided into two parts: a scholarly consideration of the Juristic Person in Private International Law, and a consideration of the English law of foreign companies. The latter is somewhat inadequate perhaps, but the chief value of the book is the clear setting forth of the principal modern theories of juristic personality, of capacity, and of the domicile of corporations. The author strives to explain all the doctrines of the continental, English, and American writers and judges on these questions. It may perhaps be objected that he seems almost unaware of certain fundamental differences which make it impossible to find a single solution for the questions. Being familiar with the English practice of incorporating public and charitable societies, while business associations are registered only and not incorporated, he seems not to realize the necessity of distinguishing, with regard

to the question of personality, between the American corporation and the French *société anonyme*. In the same way he seems not quite to see that the view of capacity held by the common law differs from that held by the civil law. But the book is stimulating and suggestive, and we can only regret that so much of it is taken up with other people's opinions and so little with the clever views of the author.

J. H. B.

THE LAW OF INTERSTATE COMMERCE AND ITS FEDERAL REGULATION. By Frederick N. Judson. Second Edition. Chicago: T. H. Flood & Co. 1912 pp. xxiv, 805. 8vo.

The first edition of Mr. Judson's work on this subject was reviewed in 19 HARV. L. REV. 398. To such an extent has the law of Interstate Commerce^e and its regulation been developed and expanded during the years since 1905, not only through judicial construction, but through far-reaching changes in statutory law, that a new edition of this work will be quite welcome to the legal profession. The first edition is enlarged by about three hundred pages. Of these some sixty additional pages are devoted to the general discussion of Interstate Commerce and the conflict between federal and state control.

A new chapter has been added dealing specifically with the Federal Power of Regulation in Interstate Commerce; also a special chapter upon the Federal Control of State Railroad Regulation. In this general discussion of the legal principles affecting the problems of Interstate Commerce Mr. Judson has dealt with his subject very satisfactorily, as much so as the limitations in space permitted. For an exhaustive treatment of these questions, however, the investigator will be still forced to look to the special works upon narrower phases of the subject.

There have been added brief discussions of The Hours of Service Act of 1907, The Twenty-Eight Hour Live Stock Transportation Law of 1906, and The Employers' Liability Act of 1906. The bulk of the additional space has, however, been devoted to a discussion of the amendments to the Interstate Act, as represented by the legislation of 1906 and 1910. The treatment by the author of §§ 1, 2, and 15 of the Act is particularly exhaustive and instructive. There has been omitted from the second edition the table of decisions of the Interstate Commerce Commission on the question of reasonableness of rates. Instead, this space has been devoted to the text of the Commerce Court Act, Interlocking Act, Ash Pan Act, Report of Accidents Act, so that the work now contains the text of all the important legislation respecting Interstate Commerce, as well as the Rules of Practice before the Commerce Court and the Commission, with forms of procedure before the latter. The result is an excellent reference work, of very practical arrangement, and prepared with much devotion to the subject.

J. M. B., JR.

THE SUPREME COURT AND THE CONSTITUTION. By Charles A. Beard. New York: The MacMillan Company. 1912. pp. vii, 127.

THE INHERITANCE TAX LAW. By Arthur W. Blakemore and Hugh Bancroft. Boston: The Boston Book Company. 1912. pp. iv, 1336.

LAW OF CONTRACT. Second Edition. By William T. Brantly. Baltimore: M. Curlander. 1912. pp. xv, 560.

A GENERAL SURVEY OF EVENTS, SOURCES, PERSONS, AND MOVEMENTS IN CONTINENTAL LEGAL HISTORY. By various European Authors. With an editorial preface by John H. Wigmore, and introductions by Oliver W. Holmes and Edward Jenks. Boston: Little, Brown and Company. 1912. pp. liii, 754.